

PTO/SB/26 (09-04)

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**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)
A382-USA

In re Application of: Jiang

Application No.: 10/711,154

Filed: 8/27/2004

For: MATERIAL AND METHOD TO PREVENT LOW TEMPERATURE DEGRADATION OF ZIRCONIA IN BIOMEDICAL IMPLANTS

The owner*, THE ALFRED E. MANN FOUNDATION FOR SCIENTIFIC RESEARCH, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent Application No. 10/853,922 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 42130



Signature

December 1, 2005
Date

Gary Schnittgrund

Typed or printed name

661-702-6814

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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